

THE C. V. RAMAN GLOBAL UNIVERSITY, ODISHA ACT 2019

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The Odisha Gazette



**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

No.158, CUTTACK, TUESDAY, JANUARY 28, 2020 / MAGHA 8, 1941

LAW DEPARTMENT

NOTIFICATION

The 28th January, 2020

No.1294-I-Legis-27/2019/L.—The following Act of the Odisha Legislative Assembly having been assented to by the Governor on the 14th day of January, 2020 is hereby published for general information

ODISHA ACT 1 OF 2020

THE C.V. RAMAN GLOBAL UNIVERSITY,

ODISHA BILL, 2019

AN

ACT

**FOR CONVERTING THE C.V RAMAN COLLEGE OF ENGINEERING, KHURDA INTO
A SELF-FINANCED PRIVATE UNITARY UNIVERSITY IN THE STATE FOR
CONDUCTING RESEARCH AND PROVIDING HIGH QUALITY EDUCATION AND
TO REGULATE ITS FUNCTION AND FOR MATTERS CONNECTED
THEREWITH OR INCIDENTAL THERETO.**

BE it enacted by the Legislature of the State of Odisha in the
Seventieth Year of the Republic of India as follows:-

CHAPTER - 1

PRELIMINARY

Short title and
commencement.

1.(1) This Act may be called the C.V. Raman Global University,
Odisha Act, 2019.

(2) It shall come into force on such date as the State Government
may, by notification, appoint.

Definitions.

2. In this Act, unless the context otherwise requires:-

- (a) "Academic Council" means the Academic Council of the University constituted under section 24;
- (b) "AICTE" means the All India Council for Technical Education established under section 3 of the All India Council for Technical Education Act, 1987;
- (c) "Annual Report" means the Annual Report of the University referred to in section 48;
- (d) "Appointed Date" means the date appointed under sub-section (1) of section 3;
- (e) "Board of Governors", "The Board" or "BOG" means the Board of Governors of the University constituted under section 22;
- (f) "BPUT" means the Biju Pattnaik University of Technology established under the Biju Pattanaik University of Technology Act, 2002;
- (g) "College" means C.V. Raman College of Engineering, Bhubaneswar set up by Raman Education Society registered under the Societies Registration Act 1860;
- (h) "Corpus Fund" means Corpus Fund of the University referred to in section 44;
- (i) "Dean" means Deans of Faculties referred to in section 17;
- (j) "Development Fund" means the Development Fund of the University referred to in section 46;
- (k) "Distance Education System" means the system of imparting education through any means of information technology and communication such as multimedia, broadcasting, telecasting, online over internet, other interactive methods, e-mail, internet, computer, interactive talk back, e-learning, correspondence course, seminar, contact program or a combination of any two or more of such means;
- (l) "Employee" means employee appointed by the University and includes teachers and other staff of the University;

52 of 1987.

Odisha Act 9
of 2002.

21 of 1860.

- (m)“Faculty” means collective body an academic unit of the University consisting of one or more Departments of similar nature;
- (n)“Finance Officer” means Finance Officer of the University appointed under section 19;
- (o)“General Fund” means General Fund of the University referred to in section 45;
- (p)“Managing Committee” means the Managing Committee of the University constituted under section 23;
- (q)“Off-campus Centre” means a centre of the University, established by it outside the main campus, in India and abroad operated and maintained as its constituent unit, having the University’s compliment of facilities, faculty and staff as per Regulation 2.2 of UGC (Establishment of and maintenance of standards in Private Universities) Regulation, 2003;
- (r)“Prescribed” means prescribed by the Statutes of the University;
- (s)“President” means the President of the University as explained in section 14;
- (t)“Registrar” means the Registrar of the University appointed under section 18;
- (u)“Regulatory Body” means a Body established by the Central Government for laying down norms and conditions for ensuring standard of higher education such as University Grants Commission, All India Council for Technical Education and National Assessment and Accreditation Council, National Board of Accreditation, Distance Education Council and other Bodies established by the State Government for the purpose;
- (v)“Rules” mean the Rules of the University;

(w)“Society” means the Raman Education Society, registered under the Societies Registration Act, 1860;

21 of 1860.

(x)“Sponsoring Body” means the Raman Education Society;

(y)“State” means the State of Odisha;

(z)“State Government” means the Government of Odisha;

(za)“Statutes” means the Statutes of the University;

(zb)“Teacher” means a person holding a designation of Professor, Associate Professor, Assistant Professor, Lecturer or such other designation as decided by the Board and appointed for imparting instruction or training or conducting research in the University;

(zc) “UGC” means the University Grants Commission established under the University Grants Commission Act, 1956;

3 of 1956.

(zd)“University” means the C.V. Raman Global University, Odisha, established and incorporated as a University under this Act;

(ze)“Vice-Chancellor” means the Vice-Chancellor of the University appointed under section 16;

(zf)“Vice-President” means the Vice-President of the University as explained in section 15; and

(zg)“Visitor” means the Visitor of the University as explained in section 12.

CHAPTER - II

THE UNIVERSITY

Establishment and
Incorporation.

3. (1) Subject to provisions of section 5 with effect from such date as the State Government may, by notification, appoint in this behalf (herein after referred to as the appointed date), there shall be established in the State of Odisha a non-affiliating Unitary University at Bidyanagar, Mahura, Jatni Tahasil in the district of Khurda by the name of “C.V Raman Global University, Odisha” after Corpus Fund is set up by the Sponsoring Body as provided under section 44;

(2) The University shall be a body corporate by the aforesaid name having perpetual succession and common seal with powers, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable which may have become vested in, or may have been acquired by it, and to contract and to do all things necessary for the purpose of this Act, and shall sue and be sued by the said name.

(3) The headquarters of the University shall be at Mahura, Janla of Jatani Tahasil in the district of Khurda.

(4) The jurisdiction of the University shall extend all over that is presently comprised of the College to be recognized, restructured and renamed under sub-section (1), to all faculties of studies and Departments for which the corresponding degree and other academic distinction are being conferred by the BPUT and to all constituent units and Department to be established by the University in future with prior permission of the State Government.

Effect of
establishment.

4.(1) On and from the appointed date, —

(a) the control and management of the College which is with the Sponsoring Body together with the control and management of all properties and assests pertaining to the College, shall stand transferred to, and vest in the University.

(b) all properties and assests pertaining to the College including any cash balance held by the College or on its account, whether in deposit with any bank or otherwise, shall stand transferred to, and vest in the University;

(c) save as provided in this section, all rights, powers and privileges, duties, debts and liabilities and obligations of the College, contractual or otherwise, arising or accrued or incurred in relation to the affairs of the College shall stand transferred to, and vest in the University; and

(d) every employee and teacher duly appointed in connection with the affairs of the College and serving in the College as such immediately before the date of notification under sub-section (1) of

section 3, shall hold his office or service in the University by the same terms and conditions and with the same rights and privileges.

(2) The properties and assests and rights transferred to the University by virtues of sub-section (1), shall continue to be utilized for the purposes for which they were being utilized and were intended to be utilized immediately before the appointed date.

(3) Notwithstanding anything contained in the Biju Patnaik University of Technology Act, 2002 and the Odisha University Act, 1989 and the Statute made there under, —

Odisha Act 9
of 2002.

Odisha Act 5
of 1989.

(a) the College shall, with effect from the appointed date, cease to be affiliated from the BPUT and shall stand transferred to the University;

(b) all Faculties of studies or programmes of studies, or courses of studies by whatever name called, existing in the College prior to the appointed date shall be integrated into the University;

(c) any student of the college, who, immediately prior to the appointed date was studying for any examination of BPUT or for any examination of the College, the College being an Autonomous College, shall continue his studies as a student of the university and to be permitted to complete his course in preparation there for and be admitted to the examination of the University; and

(d) for students referred to in clause (c), the University shall make arrangement for conferment of the corresponding degree and other academic distinction on the basis of the result of such examination.

Fulfillment of
norms and other
condition.

5. Before issue of notification under sub-section (1) of section 3, the State Government on the report of a High Power Committee constituted for the purpose, shall ensure that the College fulfills the norms and other conditions prescribed or imposed by the Regulatory Bodies in relation to Land, Buildings, Library, Laboratory, Equipments, Computers, Furniture

and such other infrastructure facilities as the State Government may decide.

Undertaking .

6.After issue of notification under sub-section (2) of section 1 and before the appointed date, the sponsoring Body shall give an undertaking, —

- (a) to appoint at least one Professor, two Associate Professors and three Assistant Professors/Lecturers on full time basis along with necessary supporting staff in each faculty or Department or Discipline of the University prior to the date such faculty Department or Discipline is vested in the University;
- (b) to take up co-curricular activities to foster a proper academic and healthy socio-cultural environment, such as seminars, debates, quiz programmes and extra-curricular activities like literary, cultural and artistic activities, games, sports, National Service Scheme, National Cadet Corps etc. for the benefit of students as per the norms laid down by the Regulatory Bodies;
- (c) to establish welfare programmes for the employees of the University;
- (d) to fulfill such other conditions and provide such other information as may be prescribed by the Regulatory Bodies from time to time;
- (e) that the programmes of study leading to a degree or a post- graduate degree, a Ph.D. or a research degree or a diploma offered by the University shall conform to the relevant regulations or norms of the UGC or other concerned Regulatory Body as amended from time to time;
- (f) that the admission procedure and fixation of fees shall be in accordance with the norms or guidelines, if any, prescribed by the Regulatory Bodies;

- (g) that the admission shall be made strictly on merit basis from All India Examination;
- (h) that the University shall accept minimum fifty percent of its students for technical or professional courses coming under Odisha Professional Educational Institutions (Regulation of Admission and Fixation of Fee) Act, 2007 through Odisha Joint Entrance Examination Counseling or All India Examination, as the case may be, and priority shall be given to the students of Odisha while filling up of seats and adhere to Guidelines and Instructions issued by the Regulatory Bodies;
- (i) that the teaching staff of the University shall have at least the minimum qualifications prescribed by the UGC or AICTE or other concerned Regulatory Bodies, and be paid appropriate emoluments;
- (j) that the University shall be open to all persons and shall not discriminate on grounds of gender, caste, creed, religion, race, domicile and it shall not be lawful for the University to adopt or impose on any person, any test whatsoever of religious belief or any profession in order to entitle one to be appointed as a teacher of the University or to hold any other office therein or to be admitted as a student or to enjoy or exercise any privilege thereof;
- (k) to fulfill such other conditions and provide such other information as may be prescribed by the Regulatory Bodies; and
 - (l) that it shall not offer any programme in distance mode or it shall not impart education through Distance Education System.

Odisha Act 4
of 2007

University not to be
entitled to financial
assistance.

7. The University shall be multi-disciplined, unitary, self-financed non-affiliating and shall not demand for any grant-in-aid or any other financial

assistance from the State Government or any other Body or Corporation owned or controlled by the State Government.

Objects of the University.

8. The objects of the University shall be, –

(a) to disseminate and advance knowledge by providing academic and research facilities in such branches of learning which include Engineering and Technology (Including Marine Engineering), Medical Science (including Nursing and Pharmacy), Architecture, Art and Design, Education, Physical and Biological Science, Humanities and Social Science, Management, Law, Vocational Education and Training, Skill Education and Training and subject to the approval of the State Government in any other field of knowledge and education as it may deem fit;

(b) to institute degrees, diplomas, charters, certificates and other academic distinctions on the basis of examination or any other methods of evaluation;

(c) to collaborate with other colleges, universities, research institutions, Industries, industry associations, professional bodies or any other organisation, in India or abroad, to conceptualize, design and develop specific educational and research programmes, dual degree programme, credit based student exchange programme, training programmes and exchange programmes for students, faculty member and others;

(d) to impart futuristic and holistic education at par with international standards to prepare our youth to face global competition and to participate in shaping India to become a world leader;

(e) to establish the following constituent units of the University with prior approval of the State Government, namely:-

(i) Faculty of Engineering and Technology (Including Marine Engineering);

- (ii) Faculty of Medical Science (including Nursing and Pharmacy);
- (iii) Faculty of Architecture, Art and Design;
- (iv) Faculty of Education;
- (v) Faculty of Physical and Biological sciences;
- (vi) Faculty of Humanities and Social Science;
- (vii) Faculty of Management and Law;
- (viii) Faculty of Vocational Education and Training;
- (ix) Faculty of Skill Education and Training; and
- (x) Any other Faculty as the university may deem fit.

Provided that the existing departments, programmes and courses offered by the Society shall be integrated into the respective Faculties.

- (f) to disseminate knowledge through seminars, conferences, executive education programmes, community development programmes, publications, and training programmes;
- (g) to undertake programmes for the training and development of faculty members of the University and other institutions in India or abroad;
- (h) to undertake Skill Development Programmes of State Government and Central Government;
- (i) to undertake collaborative research with any organization in India or abroad;
- (j) to create higher levels of intellectual abilities;
- (k) to carry out research sponsored by Central Government or State Government and private agencies and to provide consultancy to industry, Central Government or State Government and public and private Organization;
- (l) to promote development of new products, new technologies, and business start ups by faculty, students, alumni and technical staff;

(m) to assist industry, agriculture, business and services in public and private sectors, as well as individuals from outside the university, by sharing ideas, and by supporting incubation of technology or business, inside or outside the university;

(n) to ensure that the standard of the degrees, diplomas, charters, certificates and other academic distinctions are not lower than those laid down by University Grants Commission and other Regulatory Bodies, as the case may be;

(o) to do all things necessary or expedient to promote the above objectives; and

(p) to pursue any other objective as may be approved by the State Government.

Powers of the University.

9. Subject to other provisions of this Act, the Statutes or Rules made thereunder or any other relevant laws for the time being in force, the University shall have the following powers, namely :—

(a) to establish Off-Campus Centers and Study Centers in India and abroad, as are in the opinion of the University, necessary for the furtherance of its objects in conformity with the provision of the University Grants Commission (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003;

(b) to establish and develop faculties as envisaged in clause (e) of section 8;

(c) to carry out all such other activities as may be necessary and feasible in furtherance of the object of the University;

(d) to confer degrees, diplomas, charters, certificates or other academic distinctions and professional designations as envisaged under section 8 (b) in the manner and under conditions laid down in the Statutes;

(e) to institute and award fellowships, scholarships and prizes etc., in accordance with the Statutes;

- (f) to confer honorary degrees and other prestigious awards on persons of eminence from India or abroad;
- (g) to demand and receive such fees, bills, invoices and collect charges as may be fixed by the Statutes or Rules, as the case may be;
- (h) to make provisions for extra- curricular activities for students and employees;
- (i) to make appointments of the faculty, officers and employees of the University or Off-campus Centre and Study Centres;
- (j) to acquire, hold, manage, maintain and dispose of any movable or immovable property, including Society and endowment properties for the purpose of the University or a Off-campus centre or a Study Centre;
- (k) to institute and maintain halls and to recognize places of residence for students of the University or Off-campus Centre;
- (l) to supervise and control the residence, and to regulate the discipline among the students and all categories of employees and to lay down the conditions of service of such employees, including their Code of conduct;
- (m) to create academic, administrative and support staff and other necessary posts;
- (n) to co-operate and collaborate with other domestic and overseas Universities and Institutions in such a manner and for such purposes as the University may determine from time to time;
- (o) to organize and conduct refresher courses, orientation courses, workshops, seminars and other programs for teachers, developers of course ware, evaluators and other academic staff;
- (p) to determine standards of admission to the University and Off-campus Centre with the approval of the Academic Council;
- (q) to do all such other acts or things whether incidental to the powers aforesaid or not, as may be necessary for furtherance of the objects of the University;

- (r) to prescribe such courses for Bachelor Degree, Master Degree, Doctor of Philosophy, Doctor of Science Degrees and Research and such other Degrees, Diplomas, Charters, Certificates etc;
- (s) to provide for the preparation of instructional materials, including films, cassettes, tapes, video cassettes, Compact Disk, Visual Compact Disk and other software;
- (t) to recognize examinations or periods of study, whether in full or in part, of other Universities, Institutions or other places of Higher Learning as equivalent to examinations or periods of study in the University and to withdraw such recognition at any time;
- (u) to raise, collect, subscribe and borrow with the approval of the Board of Governors whether on the security of the property of the University, money for the purposes of the University;
- (v) to receive gifts and donations from persons and organisations in India or abroad for furthering the cause of education, research or for student or staff welfare;
- (w) to enter into, carry out, vary or cancel contracts;
- (x) to establish study centre subject to approval of the Regulatory Body; and
- (y) to do all things necessary or expedient to exercise the above powers.

University open to all classes, castes, creed, religion, language and gender.

10. The University shall be open to all persons irrespective of class, caste, creed, religion, language, domicile and gender, etc residing in India or abroad.

National Accreditation.

11.(1) The University shall seek, obtain and retain accreditation from respective national accreditation bodies and be subject to the Regulations or Guidelines made by the University Grants Commission there under from time to time relating to private University.

Act 3 of 1956.

(2) The University shall obtain prior permission or recognition from the concerned Regulatory Bodies, for conferring graduate or post graduate degrees and for other programmes.

(3) As regards other programmes on technical education the relevant laws, rules, regulations in the matter of obtaining approval or recognition or maintaining standards shall apply to the University.

(4) The university may seek and obtain accreditation of international accreditation agencies.

CHAPTER III

THE VISITORS AND OFFICERS OF THE UNIVERSITY

The Visitor.

12. (1) The Governor of Odisha shall be the Visitor of the University.

(2) The visitor shall, when present, preside at the convocation of the University for conferring Degrees, Diplomas, Charters, Designations and Certificates.

(3) The visitor shall have the following powers to be exercised in accordance with the procedure laid down in the statutes, namely :—

(a) To call for any paper or information relating to the affairs of the University;

(b) On the basis of any information received by the Visitor, if he is satisfied that any order, proceeding, or decision taken by any authority of the University is not in conformity with the Act, Statutes or Rules, he may give such advice to the President, as he may deem fit, in the interest of the University and basing on the advices of the Visitor, the President shall take a decision which shall be complied with by all concerned.

Officers of the University.

13.(1) The following shall be the officers of the University, namely:-

(a) The President;

(b) The Vice-President;

(c) The Vice-Chancellor;

- (d) The Deans of Faculties;
- (e) The Finance Officer;
- (f) The Controller of Examinations;
- (g) The Registrar;
- (h) The Librarian; and
- (i) Such other officers as may be declared by the Statutes to be officers of the University.

The President and his Powers.

14.(1) The Secretary of the Society Shall be the President of the University.

(2) The President during his absence may, by order in writing, designate the Vice- President to act as the “Designated President” for such period and for such functions and responsibilities as the President may specify. If the Vice-President is also absent, the President may designate any member of the Board to discharge the duties of the President.

(3) The President shall preside over the meetings of the Board of Governors and in his absence the Vice-President shall preside over the meeting of the Board of Governors. However, any decision resolved in the Board of Governors meeting shall be given effect only after obtaining the approval of the President, except in emergencies, the nature of the emergency being recorded in writing in the agenda and minutes of the meeting.

(4) The President shall have the following powers, namely:-

- (a) to call for any information or record from the Vice-Chancellor or the Registrar;
 - (b) to appoint and remove the Vice-Chancellor after following the due process of selection and dismissal respectively;
 - (c) to appoint and remove members of the faculty, officers or staff of the University;
 - (d) to preside over the convocation in absence of the Visitor;
- and

(e) Such other powers as may be conferred on him by the Act or the Statutes made there under.

The Vice-President and his power.

15. (1) A Member of the Society shall be nominated by the President to be the Vice-President of the University.

(2) In absence of the President, the Vice-President shall perform all such functions and exercise all such powers of the President as mentioned in section 14.

(3) In absence of the President, the Vice-President shall preside over the meetings of the Board of Governors, subject to provision of section 14.

(4) Such other powers and responsibilities as may be conferred on him by the Act, the Statutes made there under and by the Board or by the President.

The Vice-Chancellor.

16.(1) The Vice-chancellor shall be appointed by the President from a panel of three persons recommended by an expert search committee constituted by the Board of Governors and shall hold office for a term of three years and after expiration of the term of three years, the Vice-Chancellor shall be eligible for re-appointment for another term not exceeding three years on approval of the President. On expiry of the extended term, he may eligible for fresh consideration by a new search committee along with other candidates.

(2) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of the authorities of the University.

(3) If in the opinion of the Vice-Chancellor, it is necessary to take immediate action on any matter for which powers are conferred on any other authority by or under this Act, he may take such action as he deems necessary and shall at the earliest opportunity thereafter report his action to such officer or authority as would have in the ordinary course dealt with the matter:

Provided that if in the opinion of the concerned authority such action should not have been taken by the Vice-Chancellor, then such case shall be referred to the President, whose decision thereon shall be final:

Provided further that where any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer, within three months from the date on which such action is communicated to him, an appeal to the President, and the President may confirm or modify or reverse the action taken by the Vice-Chancellor.

(4) If in the opinion of the Vice-Chancellor any decision of any authority of the University is outside the powers conferred by this Act, Statutes or is likely to be prejudicial to the interest of the University, he shall request the concerned authority to revise its decision within seven days from the date of the decision and in case the authority refuses to revise such decision wholly or partly or fails to take any corrective decision within seven days, then such matter shall be referred to the President and his decision thereon shall be final.

(5) The Vice-Chancellor shall exercise such other powers and perform such other duties as may be laid down by the Statutes or the Rules.

(6) The President is empowered to remove the Vice-Chancellor after due inquiry and it shall be open to the President to suspend the Vice-Chancellor during the inquiry depending upon the seriousness of the charges, as he may consider appropriate.

The Deans of
Faculties.

17. Deans of Faculties shall be appointed by the Vice-Chancellor in such manner and shall exercise such powers and perform such duties as may be prescribed.

The Registrar.

18.(1) The appointment of the Registrar shall be made by the President in such manner as may be prescribed.

(2) All contracts shall be signed and all documents and records shall be authenticated by the Registrar on behalf of the University.

(3) The Registrar shall be responsible for the due custody of the records and the common seal of the University and shall be bound to place

necessary documents before the President or the Vice-Chancellor or any other authority for transaction of their business.

(4) The Registrar shall exercise such other powers and perform such other functions as may be prescribed or required by resolutions of the Board of Governors.

The Finance Officer and the Controller of Examinations.

19.(1) The Finance Officer shall be appointed by the President in such manner and shall exercise such powers and performs such functions as may be prescribed.

(2) The Controller of Examinations shall be appointed by the Vice-Chancellor in such manner and shall exercise such powers and perform such functions as may be prescribed.

Other officers.

20.The manner of appointment, terms and conditions of services and powers, duties and functions of other officers of the University shall be such as may be prescribed.

CHAPTER IV

AUTHORITIES OF THE UNIVERSITY

Authorities of the University.

21.The following shall be the authorities of the University, namely:-

- (a) The Board of Governors;
- (b) The Academic Council;
- (c) The Managing Committee;
- (d) The Finance Committee; and
- (e) Such other authorities as may be declared by the Statutes to be the authorities of the University.

The Board of Governors and its powers.

22.(1) The Board of Governors shall consist of the following members:

- (a) The President;
- (b) The Vice-President;
- (c) The Vice-Chancellor;
- (d) The Secretary to Government in charge of Technical Education Department, who shall be member ex-officio;
- (e) One member of the Odisha Legislative Assembly nominated by the Speaker;

(f) Two members of the Society nominated by the Secretary of the Society;

(g) Three persons nominated by the Society who should be eminent scholars, industrialists, technologists, educators, artists or persons of repute;

(h) Two eminent professors of the University to be nominated by the President; and

(i) Two experts nominated by the State Government.

(2) The President shall be the Chairman of the Board of Governors.

(3) The Registrar shall be the ex-officio Secretary of the Board of Governors.

(4) The Board of Governors shall be the principal policy making body responsible for the governance of the University and shall have the following powers, namely:-

(a) to lay down policies to be pursued by the University;

(b) to review decisions of other authorities of the University and ensure that they are in conformity with the provision of this Act, the Statutes and the Rules;

(c) to make new or additional Statutes or amend or repeal the earlier Statutes with the concurrence of the State Government;

(d) to make rules and to approve, amend or repeal rules made by the Managing Committee or the Academic Council;

(e) to give guidelines to the Academic Council and the Managing Committee for making rules and for running the affairs of the University;

(f) to approve the budget and annual report of the University;

(g) to appoint the Statutory Auditors of the University;

(h) to take decision about voluntary winding up of the University;

(i) to approve proposals for submission to the State Government and Government of India for expansion of the university; and

(j) to take such decision and steps as are found desirable for effectively carrying out the objectives of the University.

(5) The Board of Governors shall meet at least twice in a calendar year at such time and place as the President thinks fit.

(6) Save as otherwise provided in this section, the terms of nominated members of the Board of Governors shall be three years from the date of nomination.

(7) Any recommendation or decision resolved in the Board meeting shall be given effect to only after approval of the President.

The Managing
Committee.

23.(1)The Managing Committee shall consist of the following members, namely: –

(a) the Vice-Chancellor of the University who shall be the ex-officio Chairman;

(b) the Registrar of the University ;

(c) two members of the Board nominated by the Sponsoring Body;

(d) three persons, who are not members of the Board nominated by the Sponsoring Body; and

(e) three Deans nominated by the Vice-Chancellor.

(2) The powers and functions of the Managing Committee shall be such, as may be prescribed.

(3) The term of office of the members other than the ex-officio members shall be three years.

The Academic
Council.

24.(1) The Academic Council shall consist of the following members, namely: –

(a) The Vice-Chancellor of the University who shall be the ex-officio Chairman;

(b) The Registrar of the University who shall be the ex-officio Secretary; and

(c) such other members as may be prescribed.

(2) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and the Rules, co-ordinate and exercise general supervision over the academic policies of the University and shall exercise such other powers and perform such other functions as may be prescribed.

(3) The term of office of the members other than the ex-officio members shall be three years.

The Finance
Committee.

25. (1) The Finance Committee shall consist of the following members, namely : –

(a) the Vice- President of the University who shall be the ex-officio Chairman;

(b) the Vice-Chancellor;

(c) the Registrar of the University who shall be the ex-officio Secretary;

(d) the Finance Officer; and

(e) such other members as may be prescribed.

(2) The Finance Committee shall be the principal financial body of the University and shall take care of financial matters and shall, subject to the provisions of this Act, Statutes and Rules, co-ordinate and exercise general supervision over the financial matters of the University and shall exercise such other powers and perform such other functions as may be prescribed.

(3) The term of office of the members other than the ex-officio members shall be three years.

Other authorities.

26. The constitution, powers and functions of other authorities of the University shall be such, as may be prescribed.

Proceeding not
invalidated on
account of vacancy.

27. No act or proceeding of any authority of the University shall be invalid merely by reason of the existence of any vacancy or defect in the constitution of the authority.

CHAPTER V

STATUTES AND RULES

Statutes .

28. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:-

(a) the constitution, powers and functions of the authorities and other bodies of the University not specified in the Act, as may be constituted from time to time and creation of new authorities of the University;

(b) the operation of the Corpus Fund, the General Fund and the Development Fund;

(c) the terms and conditions of appointment of Vice-Chancellor, the Registrar and their powers and functions;

(d) the mode of recruitment and the conditions of service of other officers, teachers and employees of the University;

(e) the procedure for resolving disputes between the University and its officers, faculty members, employees and students;

(f) creation, abolition or restructuring of faculties, and departments;

(g) the manner of co-operation with other Universities or Institutions of higher learning;

(h) the procedure for conferment of honorary degrees;

(i) provisions regarding grant of freeships and scholarships;

(j) procedure for creation of different academic programmes, number of seats in different courses of studies and the procedure of admission of students to such courses;

(k) the fee chargeable from students for various courses of studies subject to the norms, guidelines or law for the time being in force, made by the Regulatory Bodies depending on the course in which the students seek admission;

(l) institution of fellowships, scholarships, studentships, freeships, medals and prizes;

(m) procedure for creation and abolition of posts; and

(n) any other matters which may be prescribed.

Procedure for making Statutes.

29.(1) The First Statutes shall be made by the Board and shall be submitted to the State Government for its approval, which may, within two months from the date of receipt of the Statutes by the State Government, give its approval with or without modifications.

(2) In case the State Government fails to take any decision with respect to the approval of the Statutes within the period specified in sub-section (1), it shall be deemed to have been approved by the State Government.

Power to amend the Statutes.

30. The Board may, with the prior approval of the State Government, make new or additional Statutes or amend or repeal the Statutes.

Rules.

31. Subject to the provisions of this Act, the rules may provide for all or any of the following matters, namely:-

- (a) admission of students to the University and their enrollment and continuance as such;
- (b) the courses of study to be laid down for all Degrees, Diplomas, Certificates, Charters and other academic distinctions of the University;
- (c) the award of Degrees, Diplomas, Certificates and other academic distinctions of the University;
- (d) accounting policy and financial procedure;
- (e) the conditions of the award of fellowships, scholarships, studentships, medals and prizes;
- (f) the conduct of examinations and the conditions and mode of appointment and duties of examining bodies, examiners, invigilators, tabulators and moderators;
- (g) the fee to be charged for admission to the examinations, Degrees, Diplomas, Certificates and other academic distinctions of the University subject to the norms, guidelines or law for the time being in force, made by the Regulatory Bodies or State Government depending on the course in which the students appear the examination ;

- (h) revision of fees;
- (i) alteration of number of seats in different courses and introduction new programmes and courses;
- (j) the conditions of residence of the students at the University;
- (k) maintenance of discipline among the students of the University;
- and
- (l) any other matters not specifically provided in the Statutes.

Procedure for making Rules.

32.(1) The Rules shall be made by the Board and the Rules so made shall be submitted to the State Government for its approval, which may within two months from the date of receipt of the Rules give its approval with or without modification.

(2) Where the State Government fails to take any decision with respect to the approval of the rules within the period specified in sub-section (1), it shall be deemed to have been approved by the State Government.

(3) Rules can be framed by the BOG, the Managing Committee and the Academic Council. All rules made by the Academic Council and the Managing committee shall be subject to review by the BOG, and shall take effect only after they are approved by the BOG or by the President on its behalf.

Power to amend rules.

33.The Board may make new or additional rules or amend or repeal the rules as may be prescribed.

Admission.

34.(1) Subject to the provisions of clause (h) of section 6 and the provisions of the Odisha Professional Educational Institutions (Regulation of Admission and Fixation of Fee) Act, 2007 regulating admission to all courses offered by the University shall be done strictly from All India Examinations on merit basis and in accordance with the norms and guidelines prescribed by the Regulatory Bodies or the UGC, as the case may be, depending on the course in which students seek admission.

Odisha Act 4 of 2007.

(2) Admission procedures for foreign students or NRI shall be in accordance with the norms and guidelines prescribed by the UGC or other Regulatory Bodies.

(3) In absence of the guidelines under sub-section (1), admission in the University shall be made strictly on the basis of merit.

(4) The admission of Scheduled Tribe, Scheduled Castes, Socially and Educationally Backward Classes and Persons with Disabilities students shall be regulated as per the stipulation of reservation policies of the State Government or Government of India.

Fee structure.

35. (1) The University may, from time to time, prepare its fees structure in accordance with the norms and guidelines prescribed by the U.G.C. and other Regulatory Bodies depending on the course in which the students seek admission subject to adherence to the fee control regulations of the State Government as applicable to Universities.

(2) The University shall not charge any fees, by whatever name called, other than for which it is entitled under the provisions of sub-section (1).

(3) The University shall implement a Scheme framed by the Regulatory Bodies or State Government for providing concession in fees payable to the University by the students belonging to Scheduled Castes, Scheduled Tribes community and Economically Weaker Section from the State of Odisha.

CHAPTER VI MISCELLANEOUS

Conditions of
service of employees.

36.(1) Every employee shall be appointed under a written contract, which shall be kept in the University and a copy of which shall be furnished to the employee concerned.

(2) Disciplinary action against the students or employees shall be governed by the procedure as may be prescribed.

Right to appeal.

37. Every employee or student of the University shall, notwithstanding anything contained in this Act, have a right to appeal within such time as

may be prescribed, to the Board against the decision of any officer or authority of the University and thereupon the Board or the President on its behalf may confirm, modify or change the decision appealed against.

Provident fund
and pension.

38. The University shall constitute for the benefit of its employees such provident or pension fund and provide such insurance scheme as it may deem fit in such manner and subject to such conditions as may be prescribed.

Disputes as to
constitution of
University, authorities
and bodies.

39. If any question arises as to whether any person has been duly elected or appointed as, or is entitled to be a member of any authority or other body of the University, the matter shall be referred to the President whose decision thereon shall be final.

Constitution of
committees.

40. Any authority of the University mentioned in section 21 is empowered to constitute a committee of such authority, consisting of such members as such authority may deem fit, and having such powers as the authority may deem fit.

Filling of
casual vacancies.

41. Any casual vacancy among the members, other than ex-officio members, of any authority or Body of the University shall be filled in the same manner in which the member whose vacancy is to be filled up, was chosen, and the person filling the vacancy shall be a member of such authority or Body for the residue of the term for which the person whose place he fills would have been a member.

Protection of action
taken in good faith.

42.(1) No suit or other legal proceedings shall lie against any officer or other employees of the University for anything, which is done in good faith or intended to be done in pursuance of the provisions of this Act, the Statutes or the rules.

(2) Nothing in sub-section (1) shall be a bar for filing suits, prosecutions or other legal proceedings for anything done in contravention of the provisions of this Act and the rules or Statute made thereunder.

Transitional provisions.

43. Notwithstanding anything contained in any other provisions of this Act and the Statutes :—

(a) the first Vice-Chancellor shall be appointed by the President and the said officer shall hold office for a term of three years or till the new Vice-Chancellor is appointed whichever is earlier.

(b) the first Registrar shall be appointed by the President who shall hold office for a term of three years or till a new Registrar is appointed, whichever is earlier.

(c) the first Board of Governors shall hold office for a term not exceeding three years; and

(d) the first Managing Committee, the first Finance Committee and the first Academic Council shall be constituted by the President for a term of three years.

Corpus Fund.

44.(1) The Sponsoring Body shall establish a Corpus Fund of Rupees Ten Crores.

(2) The amount of Corpus Fund shall be invested and kept invested until the dissolution of the University in long term securities issued or guaranteed by the State Government.

(3) The University may transfer any amount from the General Fund or the Development Fund to the Corpus Fund.

(4) Excepting in the dissolution of the University, no money can be transferred from the Corpus Fund under any other circumstances for purposes other than that of the University.

(5) Out of the incomes received from the Corpus Fund amount not exceeding seventy five per centum shall be used for the purpose of scholarships or development works of the University and the remaining twenty five per centum shall be reinvested in the Corpus Fund.

General Fund.

45.(1) The University shall establish a General Fund to which the following amount shall be credited, namely:-

(a) all fees which may be charged by the University;

- (b) all sums received from any other source;
- (c) all contributions made by the Sponsoring Body;
- (d) all contributions or donations made in this behalf by any other person or Body, which are not prohibited by any law for the time being in force.

(2) The funds credited to the General Fund shall be applied to meet the following payments, namely:-

- (a) the repayment of debts including interest charges thereto incurred by the University for the purpose of this Act and the Statutes, and the rules made thereunder;
- (b) the upkeep of the assets of the University;
- (c) the payment of the cost of audit of the fund created under this section and section 46;
- (d) meeting the expenses of any suit or proceedings to which the University is a party;
- (e) the payment of salaries and allowances of the officers and employees of the University, members of the teaching and research staff, and payment of any Provident Fund contributions, gratuity and other benefits to any such officers and employees, members of the teaching and research staff;
- (f) the payment of traveling and other allowances of the members of the Board, the Managing Committee, Academic Council, and other authorities so declared under the Statutes of the University and of the members of any Committee or Board appointed by any of the authorities of the University in pursuance of any provision of this Act, or the Statutes, or the rules made thereunder;
- (g) the payment of fellowships, freeships, scholarships, assistantships and other awards to students, research associates or trainees eligible for such awards under the Statutes or rules of the University.

(h) the payment of any expenses incurred by the University in carrying out the provisions of this Act, and the Statutes or the rules;

(i) the payment of cost of capital, not exceeding the prevailing bank rate of interest, incurred by the Sponsoring Body for setting up the University and the investments made thereof;

(j) the payment of charges and expenditure relating to the consultancy work undertaken by the University in pursuance of the provisions of this Act, and the Statutes, and the rules;

(k) the payment of any other expenses including a management fee payable to any organization charged with the responsibility of managing the University on behalf of the Sponsoring Body, as approved by the Managing Committee to be an expense for the purposes of the University:

Provided that no expenditure shall be incurred by the University in excess of the limits for total recurring expenditure and total non-recurring expenditure for the year as may be fixed by the Managing Committee without the previous approval of the Managing Committee:

Provided further that the General Fund shall be applied for the objects specified under this sub-section with the prior approval of the Managing Committee of the University.

Development fund .

46.(1) The University shall establish a Development Fund to which the following amount shall be credited, namely:-

- (a) development fees which may be charged from students;
- (b) all sums received from any other source for the purposes of the development of the University;
- (c) all contributions made by the Sponsoring Body;
- (d) all contributions or donations made in this behalf by any other person or Body which are not prohibited by any law for the time being in force; and
- (e) all incomes received from the Corpus Fund.

(2) The funds credited to the Development Fund from time to time shall be utilized for the development of the University.

Maintenance of fund.

47. The funds established under sections 44, 45 and 46 shall be, subject to general supervision and control of the Board of Governors, be regulated and maintained in such manner as may be prescribed.

Annual Report .

48.(1) The Annual Report of the University shall be prepared under the direction of the Managing Committee and shall be submitted to the Board of for its approval.

(2) The Board shall consider the Annual Report in its meeting and may approve the same with or without modification.

(3) A copy of the Annual Report duly approved by the Board shall be sent to the visitor and to the State Government on or before the 31st December following closure of the financial year on the 31st March each year.

Account and audit .

49.(1) The annual accounts and Balance Sheet of the University shall be prepared under the direction of the Finance Committee and all funds accruing to or received by the University from whatever source and all amount disbursed or paid shall be entered in the accounts maintained by the University.

(2) The annual accounts of the University shall be audited by a chartered accountant, who is a member of the Institute of Chartered Accountants of India, every year.

(3) A copy of the annual accounts and the Balance Sheet together with the audit report shall be submitted to the Board on or before the 31st December following closure of the financial year on the 31st March each year.

(4) The annual accounts, the Balance Sheet and the audit report shall be placed before the Board at its meeting for consideration and approval and the Board shall forward the same to the Visitor and to the State Government on or before the 31st December each year.

(5) In the event of any observation relating to deficiencies in financial management in the Report of the Chartered Accountant, the State

Government may issue directions to the University, and such directions shall be binding on the University.

Mode of proof of
University record.

50. Copy of any receipt, application, notice, order, proceeding or resolution of any authority or committee of the University or other documents in possession of the University or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as prima facie evidence of such receipt, application, notice, order, proceeding, resolution or document existence of entry in the register and shall be admitted as evidence of the matters and transaction therein recorded where the original thereof would, if produced, have been admissible in evidence.

Dissolution of
University.

51.(1) If the Sponsoring Body proposes dissolution of the University in accordance with the law governing its constitution or incorporation, it shall give at least six months notice in writing to the State Government.

(2) On identification of mismanagement, mal-administration, indiscipline, failure in the accomplishment of the objects of the University and economic hardships in the management systems of the University, the State Government shall, subject to and in accordance with relevant law, if any, for the time being in force, issue directions to the sponsoring body of the University and if the directions are not followed within such time as may be prescribed, the right to take decision for dissolution of the University shall vest in the State Government.

(3) The manner of dissolution up of the University shall be such as may be prescribed by the State Government in this behalf.

(4) If the State Government considers it necessary to suspend the Managing Committee, it shall, by notification published in the Official Gazette, order for suspension of the Managing Committee and shall make such arrangements in consultation with the Sponsoring Body for the administration of the business of the University till the completion of investigation as it may consider necessary:

Provided that no such action will be initiated without affording a reasonable opportunity to show cause to the Sponsoring Body.

(5) On receipt of the notice referred to in sub-section (1) or on a decision for dissolution under sub-section (2), the State Government shall, in consultation with the all India Council for Technical Education, University Grants Commission and other concerned Regulatory Bodies, make such arrangements for administration of the University from the proposed date of dissolution of the University until the last batch of students in regular courses of studies of the University complete their courses of studies in such manner as may be prescribed.

Expenditure of the University during dissolution.

52.(1) The expenditure for administration of the University during the taking over period of its management under section 51 shall be met out of the Corpus Fund, the General Fund or the Development Fund.

(2) If the fund referred to in sub-section (1) are not sufficient to meet the expenditure of the University during the taken over period of its management, such expenditure may be met by disposing of the properties or assets of the University, by the State Government.

Removal of difficulties.

53.(1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient, for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) shall, as soon as may be, after it is made, be laid before the State Legislative Assembly.

By Order of the Governor

SASHIKANTA MISHRA

Principal Secretary to Government